



EV 351 923 197 US: Express Mail Number

November 17, 2003: Date of Deposit

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NON-PROVISIONAL APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(b)

Transmitted herewith for filing is a non-provisional patent application:

Inventor(s) (or Application "Identifier"):

Timothy A. Stewart,
Elizabeth Tomlinson,
Audrey Goddard , and
Austin Gurney

Title: **Fibroblast Growth Factor-19 (FGF-19) Nucleic Acids and Polypeptides and Methods of use for the Treatment of Obesity**

1. Type of Application

This application is for an original, non-provisional application.

This is a non-provisional application claiming priority to provisional application no. __, filed __, the entire disclosure of which is hereby incorporated by reference.

This application (i) is a continuation of U.S. application Serial No. 09/522,342, filed March 9, 2000, which is a continuation in part of U.S. application Serial No. 09/284,663, filed April 15, 1999, now abandoned, which is a continuation of U.S. application Serial No. 09/158,342, filed September 21, 1998, now abandoned, to which applications priority is claimed under 35 USC § 120, and (ii) claims priority to provisional application Serial Number 60/066,840, filed November 25, 1997, now abandoned, to which application priority is claimed under 35 USC § 119, the entire disclosures of which are hereby incorporated by reference.

**2. Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b)
(Non-provisional)**

122 pages of specification
3 pages of claims
1 page(s) of abstract
10 sheet(s) of drawings
[] formal informal

3. Declaration or Oath

(for new and CIP applications; also for Cont./Div. where inventor(s) are being added)
— An executed declaration of the inventor(s) will follow.

(for Cont./Div. where inventorship is the same or inventor(s) being deleted)
X A copy of the executed declaration/oath filed in the prior application is enclosed
(37 CFR 1.63(d)).

(for Cont./Div. where inventor(s) being deleted)
— A signed statement is attached deleting inventor(s) named in the prior
application (see 37 CFR 1.63(d)(2) and 1.33(b)).

4. Assignment

(for new and CIP applications)
— An Assignment of the invention to GENENTECH, INC. is enclosed with
attached Recordation Form Cover Sheet will follow.

(for cont./div.)
X The prior application is assigned of record to Genentech, Inc.

5. Amendments *(for continuation and divisional applications)*

— Cancel in this application original claims of the prior application before calculating the filing
fee. (At least one original independent claim must be retained for filing purposes.)
— A preliminary amendment is enclosed. (Claims added by this amendment have been
properly numbered consecutively beginning with the number next following the highest
numbered original claim in the prior application.)

6. **Fee Calculation (37 CFR 1.16)**

The fee has been calculated as follows:

CLAIMS FOR FEE CALCULATION					
Number Filed		Number Extra		Rate	Basic Fee 37 CFR 1.16(a)
					\$770.00
Total Claims	21	- 20 =	1	X \$18.00	\$18.00
Independent Claims	7	- 3 =	4	X \$86.00	\$344.00
Multiple dependent claim(s), if any				+ \$290.00	\$0.00
Filing Fee Calculation					\$1,132.00

7. **Method of Payment of Fees**

The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$1,132.00. A duplicate copy of this transmittal is enclosed.

8. **Authorization to Charge Additional Fees**

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §1.16 and 1.17, or credit overpayment to Deposit Account No. 07-0630. A duplicate copy of this transmittal is enclosed.

9. **Additional Papers Enclosed**

- Information Disclosure Statement (37 CFR §1.98) w/ PTO-1449 and citations
- Submission of "Sequence Listing", computer readable copy, certificate re: sequence listing, and/or amendment pertaining thereto for biological invention containing nucleotide and/or amino acid sequence.
- A new Power of Attorney or authorization of agent.
- Other:

10. **Maintenance of Copendency of Prior Application (for continuation and divisional applications)**

[This item must be completed and the necessary papers filed in the prior application if the period set in the prior application has run]

- A petition, fee and/or response has been filed to extend the term in the pending prior application until November 17, 2003
- A copy of the petition for extension of time in the **prior** application is attached.

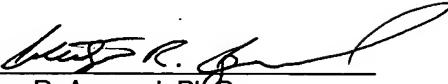
11. Correspondence Address:

X Address all future communications to:

Attn: Atulya R. Agarwal, Ph.D.
Customer No: 09157

Respectfully submitted,
GENENTECH, INC.

Date: November 17, 2003

By: 
Atulya R. Agarwal, Ph.D.
Reg. No. 40,887
Telephone No. (650) 4463

1 DNA Way
South San Francisco, CA 94080-4990
Facsimile No. (650) 952-9881

CUSTOMER NO: 09157